

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
UNITED STATES OF AMERICA,

Plaintiff,

-against-

MONZER AL KASSAR, a/k/a "Abu Munawar,"
a/k/a "El Taous, TAREQ MOUSA AL GHAZI
and LUIS FELIPE MORENO GODOY,

Defendants.
-----X

NOTICE OF MOTION

S3 07 CR 354 (JSR)

SIRS:

PLEASE TAKE NOTICE, that upon the annexed affirmation of ROGER L. STAVIS, and the accompanying memorandum of law, the undersigned will move this Court, on behalf of defendant LUIS FELIPE MORENO GODOY, at a session to be held before the Honorable Jed S. Rakoff, at the Moynihan Federal Courthouse, located at 500 Pearl Street, New York, New York, on a date and time to be determined by the Court, for an order:

- 1) dismissing Count One for facial insufficiency;
- 2) dismissing Count Two for lack of jurisdiction;
- 3) dismissing Count Three for facial insufficiency;
- 4) dismissing Count Four because the statute on which it is based violates the Fifth Amendment Due Process Clause;
- 5) compelling the Government to disclose pre-disposition evidence under the same terms as required under Rule 404(b);
- 6) granting permission to join the motions filed on behalf of co-defendant, Tareq Mousa Al Ghazi; and

- 7) granting such other further and different relief as this Court deems just and proper.

Dated: New York, New York
March 31, 2008

Yours, etc.

GALLET DREYER & BERKEY, LLP

By: 

Roger L. Stavis (7666)
Attorneys for Defendant
Luis Felipe Moreno Godoy
845 Third Avenue - 8th Floor
New York, NY 10022
(212) 935-3131

TO: Leslie Brown, Esq.
Assistant U.S. Attorney
Office of the U.S. Attorney
One Saint Andrews Plaza
New York, NY 10007